

REMARKS

The present amendment is being submitted in response to the Communication mailed October 1, 2007. In that Communication, Applicants' Amendment of July 13, 2007, was deemed nonresponsive because, in the opinion of the Examiner, newly submitted claims 14-40 were directed to an invention that was independent or distinct from the invention originally claimed. As such, the July 13th Amendment was not entered. However, the Request for Continued Examination ("RCE") of the same day was. Accordingly, Applicants have presented the above amendments to the currently pending claims (i.e., those from the last entered Amendment of December 21, 2006). Because of the aforementioned RCE, the present Amendment should be entered and considered by the Examiner.

Claims 1-4, 6-11, and 13 remain currently pending in the present case after the amendments made herein. More particularly, Applicants have canceled claims 5 and 12, as such claims are directed to a nonelected species, and have amended independent claims 1, 4, and 9 to include subject matter not taught by any of the cited prior art references. The following sets forth Applicants' remarks pertaining to the above amended claims.

In the Official Action of June 26, 2006, as well as the advisory action of February 5, 2007, the Examiner set forth his belief that the presently presented claims were obvious in view of the combination of U.S. Patent No. 5,306,308 to Gross et al. ("Gross") and U.S. Patent No. 5,609,635 to Michelson ("Michelson"). Essentially, while the Examiner agreed that *Gross* does not teach a spacer body having a center that is substantially flat, he cited *Michelson* as teaching such a configuration. The Examiner also indicated his belief that it would have been obvious to one of ordinary skill in the art at the time of the present invention to combine *Gross* and *Michelson*. Applicants have previously set forth arguments as to

the improper combination of *Gross* and *Michelson*, but such have not been found persuasive.

Although Applicants stand by their previously submitted arguments, they have amended the independent claims above in the interests of expediting prosecution of the present case. Specifically, independent claims 1, 4, and 9 have been amended to require a central bore formed through the spacer body and at least a portion of the substantially flat center. Neither *Gross* nor *Michelson* teach such a configuration. Thus, even the combination of the two references does not teach all of the limitations of the claims. As such, Applicants respectfully submit that independent claims 1, 4, and 9 constitute allowable subject matter.

Applicants note here that they reserve the file one or more continuation and/or divisional cases to prosecute the claims previously presented and fully argued. Once again, Applicants believe these claims to constitute allowable subject matter, but have only presented the amendments herein in order to more quickly move the present case into allowance.

Although not specifically discussed herein, the remaining claims also constitute allowable subject matter, because they properly depend from one of allowable claims 1, 4, or 9. Thus, in light of all of the above, Applicants respectfully request allowance of each and every one of currently pending claims 1-4, 6-11, and 13.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone Applicants' attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

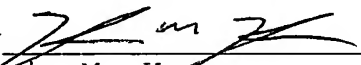
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If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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By   
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